

REMARKS/ARGUMENTS

Claims 1, 53 to 58, 79 to 91, 95, 96, 107, and 108 are now pending in this application. Applicant has herein amended claims 1, 81, and 96. Claims 59, 61 to 78, and 97 to 106 have been cancelled. New claims 107 and 108 have been added.

The Action has rejected claims 1, and 79 to 96 under 35 U.S.C. §102(b) as being anticipated by Mentzel et al. (U.S. Patent No. 5,423,336). Additionally, the Action also sets forth that regarding claims 79 to 95, it would follow that the filter of Applicant's admitted art modified by Mentzel et al. would demonstrate the claimed functions and attributes. The Action has also rejected claims 1, 53 to 58, and 95 to 96 under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted art in view of Mentzel et al. The Office Action also sets forth that there is allowable subject matter in the instant application. More specifically, the Action sets forth that claims 59, 61 to 78, and 97 to 106 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, set forth in this Office Action, and to include all of the features of the base claim and any intervening claims.

Applicant submits that the instant Office Action does not actually set forth any rejections under 35 U.S.C. §112 for Applicant to respond to. Applicant further submits that independent claim 1 now includes the allowable subject matter of claim 59. Specifically, claim 1 now includes the allowable feature of the filter having an amount of charcoal used that is in the range between 0.1g and 0.3 g. Claim 96 now includes the allowable subject matter of claims 97 to 106. Specifically, claim 96 now includes the allowable feature of the activated charcoal having specific amounts of specific mesh sizes of charcoal. New claim 107 includes the allowable subject matter of claims 61 to 68, as well as all of the features of base claim 1. Specifically, new claim 107 includes the allowable feature of the charcoal particles having specific amounts of specific mesh sizes of charcoal. New claim 108 includes the allowable subject matter of claims 69 to 78, as well as all of the features of base claim 1. Specifically, new claim 108 now

includes the allowable feature of the activated charcoal having specific amounts of specific mesh sizes of charcoal. Claim 81 has been amended for purposes of clarity and form.

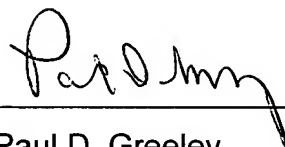
As set forth above, the Office Action concedes that claim 59 would be allowable if rewritten in independent form. Consequently, Applicant submits that claim 1 is also allowable as it now includes the allowable subject matter of claim 59. The Office Action also concedes that claims 97 to 106 would be allowable if rewritten in independent form. Consequently, Applicant submits that claim 96 is also allowable as it now includes the allowable subject matter of claims 97 to 106. The Office Action further concedes that claims 61 to 68 would be allowable if rewritten in independent form. Consequently, Applicant submits that new claim 107 is also allowable as it now includes the allowable subject matter of claims 61 to 68, as well as all of the features of their base claim 1. Additionally, the Office Action concedes that claims 69 to 78 would be allowable if rewritten in independent form. Consequently, Applicant submits that new claim 108 is also allowable as it now includes the allowable subject matter of claims 69 to 78, as well as all of the features of their base claim 1. Moreover, Applicant submits that dependent claims 53 to 58, 79 to 91, and 95 are also patentably distinguishable for at least the same reasons as discussed above with respect to claim 1. As such, all rejections should be withdrawn, since claims 1, 53 to 58, 79 to 91, 95, 96, 107, and 108 are clearly in condition for immediate allowance.

In view of the above remarks responsive to the subject Office Action, the Applicant believes that the rejections under 35 U.S.C. §§102(b), and 103(a) should be withdrawn. Further, Applicant reasserts that no rejections under §112, second paragraph have been specified in the Office Action. The claims as currently presented distinguish from the art and represent patentable subject matter. Reconsideration and allowance, being in order, are earnestly solicited. Should there be further issues, the undersigned would welcome a telephone call from the Examiner to facilitate their resolution.

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Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Paul D. Greeley", written over a horizontal line.

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